

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DANIEL WESLEY, :
Plaintiff, : 1:14-cv-0980
: :
v. : Hon. John E. Jones III
: :
SUPT. VINCENT MOONEY, *et al.*, :
Defendants. :

ORDER

February 21, 2017

NOW THEREFORE, upon consideration of the motion (Doc. 39) to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6), and in accordance with the Court's Memorandum of the same date, it is hereby ORDERED that:

1. The motion (Doc. 39) to dismiss is GRANTED.
2. The complaint against John Doe is DISMISSED pursuant to 28 U.S.C. §1915(e)(2)(B)(ii).
3. Plaintiff's amended complaint is DISMISSED in its entirety.
4. The Clerk of Court is directed to CLOSE this case.
5. Any appeal from this order is deemed frivolous and not in good faith.
See 28 U.S.C. § 1915(a)(3).

s/ John E. Jones III
John E. Jones III
United States District Judge